

Application No. 10/670,345  
Response Dated July 20, 2006  
Reply to Office Action of April 28, 2006

**REMARKS/ARGUMENTS:**

Claims 1 – 12 and 14 - 20 are pending in the application, with claims 1, 8 and 14 being independent. Claims 1, 2, 5, 8 – 12, 14, 15 and 18 are currently amended. No new matter is added.

Applicant has carefully considered the contents of the Office Action and respectfully requests reconsideration and reexamination of the subject application in view of the explanations noted below.

**Declaration**

Applicants submit herewith a Substitute Declaration in compliance with 37 C.F.R. 1.67(a) that includes the “willful false statements” clause required by 37 C.F.R. 1.68.

**Information Disclosure Statement**

As noted in the April 28, 2006 non-final Office Action, the supplied copy of CN 1155734 cited in the Supplemental Information Disclosure Statement filed August 25, 2005, was incomplete.

Filed concurrently herewith is a Supplemental Information Disclosure that includes a complete copy of CN 1155734. Consideration thereof is respectfully requested.

**Amendments to the Specification**

The first paragraph of the specification, which immediately follows the title, is amended to correct the priority date from October 2, 2002 to October 8, 2002.

**Claim Rejections under 35 U.S.C. § 112(second paragraph)**

Claims 5, 8, 10, 15 and 18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

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Claims 5, 10 and 18 are rejected because it is unclear how the locking recess mates with itself. Claims 5, 10 and 18 are amended to recite that the locking recess mates with the locking protrusion. Thus, the rejection of claims 5, 10 and 18 under 35 U.S.C. § 112, second paragraph, should be withdrawn.

Claim 8 is rejected because the locking protrusion is not part of the locking lever. The preamble of claim 8 is amended to recite that a locking device of a tape cassette housing of a tape recorder has a locking recess and a locking protrusion. Thus, the rejection of claim 8 under 35 U.S.C. § 112, second paragraph, should be withdrawn and the locking protrusion should be interpreted as a feature of the claim.

Claim 15 is rejected because the method of forming of the locking protrusion is not considered a limitation of the locking protrusion. Claim 15, as well as claims 2 and 9, are amended to recite that the locking protrusion is integrally formed as one piece with the deck chassis. Thus, the rejection of claim 15 under 35 U.S.C. § 112, second paragraph, should be withdrawn.

#### **Claim Rejections under 35 U.S.C. § 102(b)**

Claims 1, 8, 10 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,422,114 to Sugihara (the Sugihara '114 patent). Applicants respectfully traverse this rejection, because the Sugihara '114 patent clearly does not disclose, teach or render obvious the subject matter of independent claims 1, 8 and 14.

Independent claims 1, 8 and 14 each recite, *inter alia*, a locking device in which a locking lever is connected to the tape cassette housing when the tape cassette housing is both received in and removed from a deck chassis of a tape recorder.

The Sugihara '114 patent discloses a tape player having a cassette holder 44 rotatably secured to the chassis 1 by a pivot pin 1h, as shown in FIG. 7. A locking lever 42 has a hooked end 42a that engages a tab 44a extending from the cassette holder 44. The locking lever 42 is pivotally connected to the chassis 1 by a pivot pin 1g. Rotation of the hooked end 42a away from the tab 44a facilitates rotation of the cassette holder 44.

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However, the locking lever 42 is secured to the chassis 1 by the pivot pin 1g, such that once the cassette holder 44 is removed from the tape player the locking lever is not connected to the cassette holder. Thus, the Sugihara '114 patent does not disclose or suggest a locking device in which a locking lever is connected to the tape cassette housing when the tape cassette housing is both received in and removed from a deck chassis of a tape recorder, as recited in independent claims 1, 8 and 14. Lacking an element recited in independent claims 1, 8 and 14, the Sugihara '114 patent does not anticipate claims 1, 8 and 14 because a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987). Therefore, the Sugihara '114 patent does not anticipate or render obvious independent claims 1, 8 and 14.

#### **Allowable Subject Matter**

Applicants note with appreciation the allowable subject matter of claims 2 – 4, 6 – 7, 9, 11 – 12, 16 – 17 and 19 – 20, if rewritten in independent form and including all of the limitations of the base claim and any intervening claims.

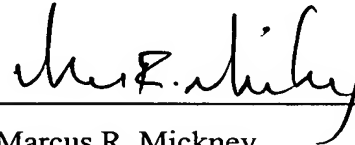
Applicants further note with appreciation the allowable subject matter of claims 5, 15 and 18, if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and in independent form to include all the limitations of the base claim and any intervening claims.

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In view of the foregoing amendments and comments, Applicant respectfully submits that claims 1 – 12 and 14 - 20 are in condition for allowance. Prompt and favorable action is solicited.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Marcus R. Mickney", is written over a horizontal line.

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